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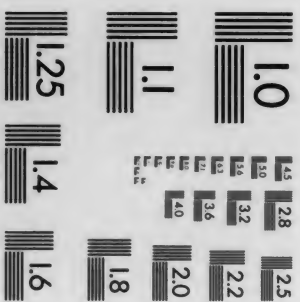


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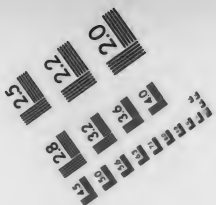
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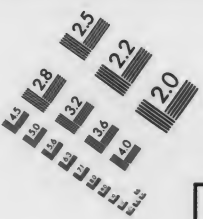
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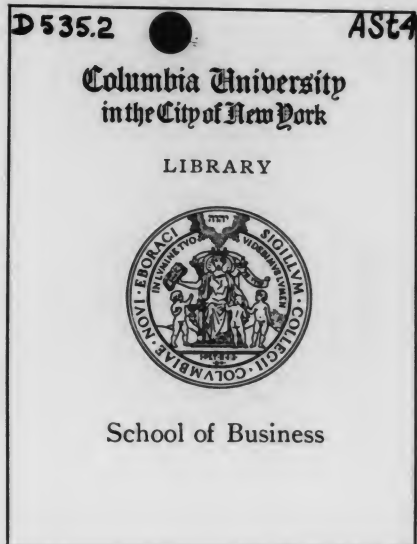
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A Bibliography of Municipal Utility Regulation and Municipal Ownership

BY

DON LORENZO STEVENS, M.B.A.



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TO
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WHOSE INTEREST AND ENCOURAGEMENT
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PREFACE

AN extensive bibliography intended primarily for the use of business men may appear somewhat novel. Yet the recent great increase in the number of special libraries is an indication of the widespread need for ready access to business literature. In the field of public utility regulation and municipal ownership the amount of material is so vast that few can keep pace with it. To provide a classified and critical index for the use of utility managers, commissioners, lawyers and all others interested in public utilities is the purpose of this work.

In making a choice of material to be included and the form of presentation, the decision has been based upon the needs of the busy man of affairs. That the expert and the general reader alike may be served, all readily accessible books and signed articles, of more than transitory interest, have been listed. Free use of annotations, together with a detailed subject classification, will serve to guide the reader to the works best suited to his needs. Official publications are included only if especially valuable, but references to other sources of information are given in the list of bibliographies. Works in other languages than English are omitted. Electric, gas, water and traction utilities are covered, and it is believed that little of value on the subjects treated has been overlooked. Owing to the rapid changes in the methods of regulation during the last decade, nearly all of the recent but only the best of the earlier material is included. The work has been brought down to January 1, 1917.

As no one person could pass expert judgment on so many subjects, the critical annotations are intended to indicate *relative* value only. Not all people will agree with the author's comments on the various works, but the annotations are only intended to facilitate a selection of material. The title and annotations, together with the subject classification, indicate quite closely the nature of each book and article. "Elementary" and "techni-

cal" are used in the ordinary sense. "Popular," however, indicates that the article is elementary, rather wordy and of relatively little interest. "Brief" refers both to actual length and to the amount of information conveyed. Where the writer's conclusions are of interest in determining the choice of material, these also are briefly indicated.

In the course of preparation of the author's forthcoming book on *The Regulation of Municipal Utilities*, a broad survey of the published material on the subject was undertaken. The vast amount, and the difficulty of selecting the best soon became apparent. Public utility operators, commissioners, librarians and others with whom he came in contact, almost without exception, expressed the need for a comprehensive guide to the literature and urged him to undertake its compilation. As a consequence practically all of the author's free time during the past two years, together with the time of several assistants, has been devoted to the work. The titles listed in this volume comprise less than one-third of the material collected. The publishing of the remainder for the sake of completeness was thought inadvisable, since all of the better works have been included. In conclusion, let it be stated that the author has personally read every work listed herein, and that the annotations are based solely upon his judgment. Despite the resulting inevitable defects, it is hoped that the volume will prove of considerable assistance to all persons studying the subjects of municipal utility regulation and municipal ownership.

D. L. S.

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BIBLIOGRAPHY OF MUNICIPAL UTILITIES

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- Municipal lighting rates. Ray Palmer.
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- The distribution of functions between local and state regulation. M. R. Maltbie.
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- Pasadena's municipal light and power plant. C. W. Koiner.
- South Norwalk's municipal electric works. A. E. Winchester.
- The hydro-electric system in Toronto. H. C. Hocken.
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- The qualifications needed for public utility commissioners. W. D. Kerr.
- The public service company law of Pennsylvania. C. W. M. Trinkle.

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- Recent tendencies in valuations for rate making purposes. Edwin Gruhl.
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xi. Administrative provisions: the management of water, gas and similar municipal enterprises.

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- xii. Fundamental principles involved in municipal ownership.
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- vii. Relief from oppressive regulation.
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- ix. Electrolysis as a form of depreciation.
- x. Legal status of electrolysis.
- xi. Valuation.
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- xv. Reference data.
- xvi. Selected bibliography.

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BAKER, J. N. The limitation of state control over the regulation of rates. *Yale Law Journal*, xxi, 126-140 (1911).

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BAKER, N. D. Discussion of constitutional protection in valuation. *Utilities Magazine*, i, no. 3, 215-216 (1916).

BEALE, J. H., and WYMAN, BRUCE. Judicial review of commission action. (*In Railroad rate regulation*. 2d edition. New York, 1915.) 1021-1077.

An excellent, annotated legal study. Refers only to the Interstate commerce commission, but is of interest for all public utilities.

FRIEDMAN, H. J. A word about commissions. *Harvard Law Review*, xxv, 704-716 (1912).

An excellent discussion of whether commissions are legislative or judicial and of the importance of the decision; with citations.

KERR, W. D. Constitutional protection in valuation. *Utilities Magazine*, i, no. 3, 208-215 (1916).

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"The object of this little book is to set forth, as concisely as the scope of the subject will permit, the legislative acts and decided cases in the several states affecting the business of supplying gas and electric light."

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Good; elementary.

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BARROW, W. M. State railroad commissions and the courts. *Freight*, vi, 201-207 (1906).

A discussion of judicial review, with a list of the powers of the various commissions and syllabi of litigated cases.

HOLMES, F. L. Commission and the courts. (*In Regulation of railroads and public utilities in Wisconsin*. New York, 1915.) 317-344.

On the history of judicial review in Wisconsin, with many quotations from decisions.

JOHNSON, E. R., and VAN METRE, T. W. The courts and railroad regulation. (*In Principles of railway transportation*. New York, 1916.) 535-563.

A brief historical sketch.

— The courts and railway regulation. (*In American railway transportation*. 2d revised edition. New York, 1909.) 386-407.

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SHARFMAN, I. L. The regulation of railway rates. (*In Railway regulation*. Chicago, 1915.) 87-111.

Outlines the development of rate regulation and of the doctrine of judicial review, pp. 87-100. Includes many quotations from decisions and citations.

V. VALUATION

GENERAL WORKS

BOOKS

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Outlines a proposed theory of valuation. Includes tables and charts; technical.

FLOY, HENRY. Valuation of public utility properties. New York, 1912. 390 pp.

- Ch. i. Introduction.
- ii. Glossary.
- iii. Public service commissions.
- iv. Making an appraisal.
- v. Structural costs.
- vi. Development expenses, intangible expenses, non-physical costs, overhead expenses.
- vii. Franchises, good will, going value, contracts.
- viii. Depreciation.
- ix. Appraisals of public utility properties in greater New York.
- x. Examples of important appraisals.

A good textbook, chiefly of engineering interest. Includes many quotations from other writers and from court and commission cases; also many tables of results of different appraisals.

— Value for rate making. New York, 1916. 322 pp.

- Ch. i. Introduction.
- ii. Definitions.
- iii. Fundamentals in valuation.
- iv. Fair value for rate making.
- v. Cost of reproduction.
- vi. Land, paving and water rights.
- vii. Franchises, working capital and bond discounts.
- viii. Going value.
- ix. Depreciation.

An excellent treatise; discusses both theories and methods with many quotations from other writers and from court and commission cases. Of special interest to engineers; somewhat technical.

FOSTER, H. A. Engineering valuation of public utilities and factories. New York, 1912. 345 pp.

- Ch. i. Value.
 - ii. Purposes of valuation.
 - iii. Directions for the valuation of tangible property.
 - iv. Instructions for valuation.
 - v. Forms for use in making a valuation.
 - vi. The cost of valuing a property.
 - vii. Value of good will, going concern or going value.
 - viii. Depreciation.
 - ix. Amortization.
 - x. Handling of depreciation funds.
 - xi. Appreciation.
 - xii. Franchise.
 - xiii. Capitalization.
 - xiv. Control of public utilities.
 - xv. Court decisions.

A valuable textbook, with more attention to the engineering work of valuation than is usual. Composed largely of quotations from other writers and from court and commission cases.

HAYES, H. V. Public utilities: their cost new and depreciation. New York, 1913. 262 pp.

- Ch. i. Property valuations: general considerations.
 - ii. Replacement costs of physical property.
 - iii. Determination of replacement cost.
 - iv. Value as going concern.
 - v. Values of good will and franchises.
 - vi. Original cost.
 - vii. Commercial value.
 - viii. The worth of service to the consumer.
 - ix. Reserves for depreciation.
 - x. Life of plant.
 - xi. Depreciation.
 - xii. Fair present value: rates.
 - xiii. Fair present value: condemnation or sale.
 - xiv. General consideration relative to the regulation of public utility undertakings.

A good, elementary work on all phases of the subject.

— Public utilities: their fair present value and return. New York, 1915. 207 pp.

- Ch. i. The present controversy.
 - ii. Ascertainment of fair present value.
 - iii. Fair rate of return.
 - iv. Replacement cost.

- Ch. v. Actual original cost.
 - vi. Going value.
 - vii. Depreciation.
- Supplementary to his "Public utilities: their cost new and depreciation."
A very good, elementary work, considering principles more fully than the previous volume.

MARKS, W. D. Practical rate making and appraisalment. South Hadley, 1914 ? 269 pp.

- Ch. i. General consideration.
 - ii. Report upon gas rates and prices for the city of Spokane, 1913.
 - iii. Report upon the fair and reasonable price of a 6.6 ampere magnetite arc light per year, Minneapolis, 1911.
 - iv. Quantity rates for electricity.
 - v. Methods of appraisalment.
 - vi. Present value; structural cost of reproduction; original cost; structural cost of reduplication.
 - vii. Overhead charges.
 - viii. Depreciation.
 - ix. Comparative appraising.
 - x. Market value; English going value.
 - xi. Franchise value.
 - xii. Present value of prospective profits; good will; development expense; going value; intangible values; options.
 - xiii. Books and accounts; operating expenses and income.
 - xiv. The law of demand for electricity; reduction of price increases profits.
 - xv. Gas sales per capita; verification of law of demand.
 - xvi. The London sliding scale; Marks' dividing scale.
 - xvii. Capitalization, assets and profits of Massachusetts gas companies.

Utilities Magazine. Proceedings of the Conference on valuation.

- Utilities Magazine, i, no. 3, 227 pp.
- Criticism of reproduction theory of valuation. J. M. Eshleman.
 - Reproduction value vs. fair value. H. F. French.
 - Relation of reproduction cost to fair value. Morris Knowles.
 - Fallacy of the "reproduction cost" theory in determining the value of public utilities. A. B. Du Pont.
 - How to get rid of the reproduction cost theory. G. W. Anderson.
 - Original cost as the chief basis for fair value. E. W. Bemis.
 - Original cost. Halford Erickson.
 - Constitutionality of historical cost method of public utility valuation. Alfred Bettman.
 - Theory of franchise values. Alfred Bettman.
 - Principles to be applied in valuing land. H. V. Hayes.
 - Land values under the Minnesota rate case. T. D. O'Brien.

- The measurement of land values. E. W. Doty.
- Principles to be applied in valuation of land used for the purpose of a common carrier. A. E. Helm.
- Discussion of principles to be applied in valuing land. F. W. Stevens.
- The proper treatment of appreciation of land. M. R. Maltbie.
- Depreciation defined. F. P. Stearns.
- Court decisions on depreciation. J. H. Goetz.
- Depreciation and its relation to the fair value. Halford Erickson.
- A criticism of theoretical depreciation. J. E. Allison.
- Making depreciation discussion understood. Harry Barker.
- Going value as an element of fair value. Clifford Thorne.
- Going value in purchase vs. rate cases. A. M. Fox.
- The problem of unit prices in valuation. M. G. Glaeser.
- Financial aspects of valuation. P. A. Sinsheimer.
- Financial aspects of regulation. R. C. Wood.
- The making and maintenance of priced inventories of public utilities. C. L. Pillsbury.
- Some essentials of appraisal work. F. W. Ballard.
- Coöperation in making inventories. R. J. Meigs.
- Valuation by approximation. J. G. Morse.
- Correct valuation of operating and managerial methods. W. N. Polakov.
- Expert (or opinion) testimony in rate valuation cases. J. H. Gray.
- Actual cost. R. H. Whitten.
- Fair value in practice. E. P. Burch.
- Principles as to franchise values. D. F. Wilcox.
- Determining franchise values. H. D. Baldwin.
- Some distinctions between the legal and administrative phases of franchise valuation. C. A. McLain.
- The meaning of the constitutional protection in valuation. C. A. Prouty.
- Constitutional protection in valuation. W. D. Kerr.
- Constitutional protection in valuation. N. D. Baker.
- Valuation and the future of public utilities. M. R. Maltbie.
- A very good symposium on many phases of the subject, largely from the public's viewpoint.

WHITTEN, R. H. Valuation of public service corporations: legal and economic phases of valuation for rate making and public purchase. New York, 1912-1914. 2 vols.

- Ch. i. Purpose of valuation.
 - ii. Fair value for rate purposes.
 - iii. Market value as a standard for rate purposes.
 - iv. Cost of reproduction as a standard of value for rate purposes.
 - v. Actual cost as a standard of value for rate purposes.
 - vi. Valuation of land.
 - vii. Pavement over mains.
 - viii. Property donated or acquired without cost.

- Ch. ix. Property constructed out of surplus.
 x. Unused property.
 xi. Average price v. present price.
 xii. Overhead charges.
 xiii. Discount on bonds.
 xiv. Working capital.
 xv. Piecemeal construction.
 xvi. Adaptation and solidification.
 xvii. Physical depreciation.
 xviii. Cost new v. cost less depreciation.
 xix. Functional depreciation.
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VII. TAXATION

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- ADAMS, T. S. Valuation of railway property for purposes of taxation. *Journal of Political Economy*, xxiii, 1-16 (1915).
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VIII. HOLDING COMPANIES

- FORD, F. R. The holding company: its advantages and disadvantages. *Electric Railway Journal*, xliii, 23-27 (1914).
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- HOMER, F. T. Public advantages of holding companies. *Annals of the American Academy of Political and Social Science*, lvii, 313-322 (1915).
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- MEAD, E. S. Holding companies. (*In* McLAUGHLIN, A. C., and HART, A. B. *Cyclopedia of American government*. New York, 1914.) ii, 124.

IX. MUNICIPAL OWNERSHIP

GENERAL WORKS

BOOKS

- DARWIN, LEONARD. Municipal ownership: four lectures delivered at Harvard University, 1907. New York, 1907. 149 pp.
A very good discussion of both sides of the question.
- Municipal trade: the advantages and disadvantages resulting from the substitution of representative bodies for private proprietors in the management of industrial undertakings. New York, 1903. 464 pp.
An excellent analysis, with some discussion of results in Great Britain. Arguments both for and against municipalization are well presented, and the author's main conclusion is that reforms are needed " (1) to more effectually safeguard the consumer and the rate payer when monopolies are managed by private proprietors; (2) to check excessive municipal trading; and (3) to render municipal trade as little harmful as possible."
- FOOTE, A. R. Cost of service to users and tax payers: the only proper basis for comparisons between private and municipal ownership of water, gas and electric lighting works. Cincinnati, 1897. 100 pp.
- Municipal public service industries. Chicago, 1899. 337 pp.
Powers of municipalities: pp. 89-207.
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- KNOOP, DOUGLAS. Principles and methods of municipal trading. London, 1912. 409 pp.
A thorough critical and historical study. The author concludes that there are not sufficient facts available for a general decision, that municipal trading is in itself undesirable, but that in some cases it is preferable to abuses by private companies.

National Civic Federation. Municipal and private operation of public utilities. New York, 1907. 3 vols.

- Pt. I, vol. i, General conclusions and reports.
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 The American municipality. W. L. Fisher.
 The British municipality. F. J. Goodnow.
 The labor report. J. W. Sullivan.
 Labor and politics. J. R. Commons.
 Municipal operation *versus* private operation of municipal monopolies:
 General introduction. Frank Parsons.
 American conditions. E. W. Bemis.
 Gas and electricity in Great Britain. M. R. Maltbie.
 British tramways. Frank Parsons.
 Analysis and interpretation of the information concerning the municipal ownership of public utilities. C. L. Edgar and Walton Clark.
 British tramways. W. J. Clark.

Pt. II, vol. i, Reports of experts: United States.

- I. Waterworks.
 General history and legislation. J. H. Gray.
 Labor and politics. J. W. Sullivan and J. R. Commons.
 Engineering matters. D. H. Maury.
 Finance and accounting. Marwick, Mitchell & Co.
 II. Gas Works.
 General history and legislation. J. H. Gray.
 Labor and politics. J. R. Commons and J. W. Sullivan.
 Engineering matters. Frederick Burdett and A. E. Forstall.
 Finance and accounting. Marwick, Mitchell & Co.
 The relation of the city of Philadelphia to the gas supply. L. S. Rowe.
 III. Electricity supply.
 General history and legislation. William Hard and J. H. Gray.
 Labor and politics. J. W. Sullivan and J. R. Commons.
 Engineering matters. Theodore Stebbins and C. E. Phelps, Jr.
 Finance and accounting. Marwick, Mitchell & Co.

Supplement.

- Labor and politics. J. R. Commons and J. W. Sullivan.

IV. Massachusetts electricity works. A. D. Adams and Charles Prichard.

Pt. II, vol. ii, Reports of experts: United Kingdom.

- I. Gas, electricity, and tramways.
 Labor and politics. J. R. Commons and J. W. Sullivan.
 II. Gas works.
 General history and legislation. M. R. Maltbie.
 Engineering matters. William Newbigging and J. B. Klumpp.
 Finance and accounting. E. H. Turner and R. C. James.

- III. Electricity supply.
 General history and legislation. M. R. Maltbie.
 Engineering matters. J. B. Klumpp and A. E. Winchester.
 Finance and accounting. R. C. James and E. H. Turner.
 IV. Street railways.
 General history and legislation. M. R. Maltbie.
 Engineering matters. N. McD. Crawford and J. H. Woodward.
 Finance and accounting. E. H. Turner and R. C. James.
 V. General.
 Taxation of gas, electricity supply and tramway undertakings. M. R. Maltbie.
 Labor and politics: further answers to schedules. J. R. Commons and J. W. Sullivan.
 General remarks upon financial conditions. R. C. James and E. H. Turner.
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ARTICLES

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Municipal ownership a delusion. Henry Clews.

Municipal ownership a business problem. Calvin Tomkins.

Municipal ownership uneconomic. W. W. Freeman.

Municipal ownership in Chicago. E. F. Dunne.

Municipal ownership always a failure. T. C. Martin.

Public service should be free. L. F. C. Garvin.

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Reasons for municipal ownership. John Ford.

Public interest demands public ownership. Frank Parsons.

Municipal ownership costly and dangerous. Arthur Williams.

Municipal ownership for all public utilities. T. L. Johnson.

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Appendix: validity of electric light comparisons. F. A. C. Perrine.
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Municipal franchises in New York. Max West.
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- ROWE, L. S. Municipal ownership and operation: the value of foreign experience. *American Journal of Sociology*, xii, 241-253 (1906).
Considers the results abroad of interest and as offering valuable lessons, but not of great weight in making the final decision here, because of different conditions. Favors municipal ownership.
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- Municipal ownership to purify politics. *Moody's Magazine*, ii, 655-658 (1906).
- In* Municipal ownership and operation: symposium.
- ZANGERLE, J. A. The larger view of municipal ownership. Cleveland, 1906? 67 pp.
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- AGAR, J. G. Shall American cities municipalize? Value of foreign experience as a guide. *Municipal Affairs*, iv, 13-23 (1900).
- A popular description of municipal ownership in England and Germany, and a comparison with American conditions. Opposes municipal ownership in America for the present.
- ALLEN, W. S. The gas supply and the public. *Municipal Affairs*, vi, 656-667 (1902).
- The writer advocates the sliding scale as preferable to municipalization.
- Some problems of public ownership. *North American Review*, cxvii, 8-21 (1913).
- An interesting, popular discussion, the writer favoring proper regulation instead of municipal ownership, based on logic and experience.
- AVEBURY, J. L. The effect of municipal trading on private enterprise. (*In* On municipal and national trading. New York, 1907.)
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- Municipal trading. *Contemporary Review*, lxxviii, 28-37 (1900).
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- — Aera, iv, 177-183 (1915).
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- BROWN, W. H. Public ownership and popular government. *American Journal of Sociology*, xii, 328-340 (1906).
- The writer believes the municipal ownership movement is due to dissatisfaction with the conduct of the private companies, and resentment against large aggregations of capital. Advocates proper regulation as the best solution of the problem.
- BURDETT, E. W. The agitation for municipal ownership in the United States: its origin, meaning and proper treatment. *Proc., National Electric Light Association*, 1906; vol. i, 537-555.
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An excellent and thorough study of results, with tables of statistics. The writer concludes that as a whole municipal ownership there has not been successful, and that success would not mean similar results in this country because of different conditions. These conditions are also analyzed, and there is a good summary.

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— Municipal electric lighting opposed. *Municipal Affairs*, vi, 636-647 (1902).

A critical analysis of results in the United States; with a table of statistics.

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